

**ORDINANCE NO. 20070621-117**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 13809 HARRIS RIDGE BOULEVARD FROM LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT FOR TRACT ONE AND LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT FOR TRACT TWO.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property (the "Property") described in Zoning Case No. C14-06-0098, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From limited industrial service-conditional overlay (LI-CO) combining district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district.

A 35.0 acre tract of land, more or less, out of the Alexander T. Walters Survey 67, Abstract 791, Travis County, being a portion of a 67.890 acre tract identified as Tract Two in this ordinance, the 35.0 acre tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From limited industrial service-conditional overlay (LI-CO) combining district to limited industrial service-conditional overlay (LI-CO) combining district.

A 67.890 acre tract of land, more or less, out of the Alexander T. Walters Survey 67, Abstract 791, Travis County, Save and Except the 35.0 acre tract of land identified as Tract One in this ordinance, the 67.890 acre tract being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 13809 Harris Ridge Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A 45-foot wide building setback shall be established from the south property line of Tract One for the length of the common property line between Tracts One and Two.
- B. At the south property line of Tract One, an eight foot high fence shall be provided along the common property line between Tracts One and Two.
- C. A 25-foot wide vegetative buffer shall be provided and maintained beginning at the northwest corner of Tract One and continuing southward along its west property line a distance of approximately 1485 feet ending at the northeast corner of the adjacent Lot 4, Block B, Parkway Subdivision. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
- D. A 78-foot wide building setback shall be established from the north property line of Tract Two for the length of the common property line between Tracts One and Two.

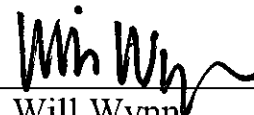
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on July 2, 2007.

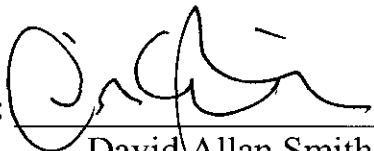
**PASSED AND APPROVED**

June 21, 2007

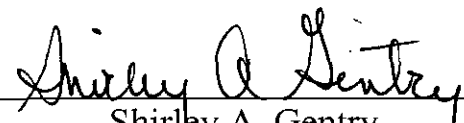
§  
§  
§

  
Will Wynn  
Mayor

**APPROVED:**

  
David Allan Smith  
City Attorney

**ATTEST:**

  
Shirley A. Gentry  
City Clerk



**Professional Land Surveying, Inc.  
Surveying and Mapping**

EXHIBIT A

Office: 512-443-1724  
Fax: 512-441-6987

2807 Manchaca Road  
Building One  
Austin, Texas 78704

Tract 1

**35.000 ACRES  
CAPITAL CITY-HOWARD LANE, LTD.**

A DESCRIPTION OF 35.000 ACRES IN THE ALEXANDER T. WALTERS SURVEY 67 ABSTRACT 791, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 67.890 ACRE TRACT CONVEYED TO CAPITAL CITY - HOWARD LANE, LTD., BY SPECIAL WARRANTY DEED EXECUTED JULY 23, 2002 AND RECORDED IN DOCUMENT NO. 2002135987 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 35.000 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with cap set in the west line of the said 67.890 acre tract, being in the east line of Lot 4, Block B, Resubdivision of Lot 1, Block A, Lot 1, Block B, Lot 1, Block C, Lot 1, Block D and Lot 13, Block E, Parkway Subdivision, a subdivision of record in Document No. 200500063 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found in the east right-of-way line of Harris Ridge Boulevard (64' right-of-way width), being in the west line of the said 67.890 acre tract, being also the southernmost corner of said Lot 4, bears South 27°42'37" West, a distance of 448.34 feet;

**THENCE** North 27°42'37" East with the west line of the said 67.890 acre tract, the east line of said Lot 4, the east line of Northtown Park Section 5-A, a subdivision of record in Volume 91, Page 188 of the Plat Records of Travis County, Texas, and the east line of a 4.652 acre tract of land described in Volume 12088, Page 492 of the Real Property Records of Travis County, Texas, a distance of 1759.40 feet to a 1/2" rebar found for the northwest corner of the said 67.890 acre tract, being the northeast corner of the said 4.652 acre tract, being also in the south line of Lot 2, Block H, Parkside Subdivision, a subdivision of record in Document No. 200400029 of the Official Public Records of Travis County, Texas;

**THENCE** with the north line of the said 67.890 acre tract and the south line of Lot 2, Block H, of said Parkside Subdivision, the following three (3) courses:


1. South 62°12'15" East, a distance of 84.00 feet to a 60d nail in Hackberry stump found;
2. South 61°57'45" East, a distance of 349.51 feet to a 1/2" rebar found;
3. South 62°26'25" East, a distance of 433.60 feet to a 1/2" rebar found for the northeast corner of the said 67.890 acre tract, being the northwest corner of a 67.93 acre tract of land described in Volume 13082, Page 106 of the Real

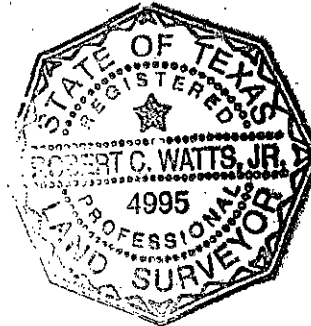
Property Records of Travis County, Texas;

**THENCE** South 27°42'20" West with the east line of the said 67.890 acre tract and the west line of the said 67.93 acre tract, a distance of 1758.42 feet to a 1/2" rebar with cap set, from which a 1/2" rebar found, bears South 27°42'20" West, a distance of 1651.69 feet;

**THENCE** North 62°17'23" West over and across the said 67.890 acre tract, a distance of 867.24 feet to the **POINT OF BEGINNING**, containing 35.000 acres of land, more or less.

Surveyed on the ground in December, 2005 under my direction and supervision. Bearing basis is Grid Azimuth for the Texas Central Zone, 1983/93 HARN values from the LCRA survey control network. Attachments: survey Drawing No. 351-001-ZN and 351-001-TO2.

  
Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995



11-6-06

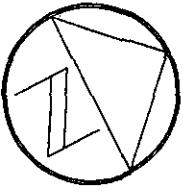
SKETCH TO ACCOMPANY A DESCRIPTION OF 35.000 ACRES IN THE ALEXANDER T. WALTERS SURVEY 67  
 ABSTRACT 791, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 67.890 ACRE TRACT CONVEYED TO CAPITAL  
 CITY - HOWARD LANE, LTD., BY SPECIAL WARRANTY DEED EXECUTED JULY 23, 2002 AND RECORDED IN  
 DOCUMENT NO. 2002135987 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

BEARING BASIS: GRID AZIMUTH FOR  
 TEXAS CENTRAL ZONE, 1983/93  
 HARN VALUES FROM LCRA CONTROL  
 NETWORK.

ATTACHMENTS: METES AND BOUNDS  
 DESCRIPTION 351-001-ZN

LOT 2, BLOCK H  
 PARKSIDE SUBDIVISION  
 (200400029)

NORTHTOWN M.U.D.  
 4.652 ACRES  
 (12088/492)



1" = 200'

- LEGEND**
- 1/2" REBAR FOUND
  - 1/2" REBAR WITH CAP SET
  - ▲ 60D NAIL FOUND IN HACKBERRY
  - ▲ HACKBERRY STUMP

DATE OF SURVEY: 12/05  
 PLOT DATE: 11/06/06  
 DRAWING NO.: 351-001-ZN  
 PROJECT NO.: 351-001  
 SHEET 1 OF 2

RICELLA DRIVE  
 (RIGHT-OF-WAY WIDTH)

27	28	29	30	31	32	33	34	35	36	37	38
----	----	----	----	----	----	----	----	----	----	----	----

N27°42'37"E 1759.40'  
 (N30°16'57"E)

TRACT 3 (LIES WITHIN TRACT 1)

3.81 ACRES  
 WATER QUALITY TRANSITION ZONE

S61°57'45"E 349.51' S62°26'25"E 433.60'  
 (S59°23'44"E 349.52) (S59°51'46"E 433.58')

100 YEAR FLOODPLAIN  
 (PROVIDED BY HPE)

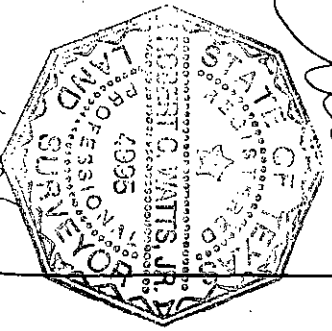
TRACT 1 AND 3 - 35.000 ACRES  
 (67.890 ACRES)  
 CAPITAL CITY - HOWARD LANE, LTD.  
 (2002135987)

ALEXANDER T. WALTERS  
 SURVEY 67 ABSTRACT 791

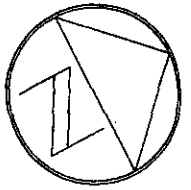
*Chapparral*

S27°42'20"W 1758.42'  
 S27°42'20"W 3410.11'  
 (S30°16'40"W 3410.04')

RUTH MAY MULENEX  
 67.93 ACRES  
 (13082/106)



11-6-06



1" = 200'

NORTHTOWN PARK  
SECTION 5-A  
(91/188)

UNNUMBERED LOT  
BLOCK B  
(200500063)

HARRIS RIDGE BLVD.  
(64' RIGHT-OF-WAY WIDTH)  
ASPHALT PAVEMENT

MARICELLA DRIVE  
(50' RIGHT-OF-WAY WIDTH)

(50' RIGHT-OF-WAY WIDTH)

LOT 4  
BLOCK B  
(200500063)

BLOCK C  
RESUBDIVISION OF LOT 1, BLOCK  
A; LOT 1, BLOCK B; LOT 1,  
BLOCK C; LOT 1, BLOCK D & LOT  
13, BLOCK E, PARKWAY  
SUBDIVISION  
(200500063)

TAYSIDE DRIVE  
(50' RIGHT OF WAY WIDTH)

LOT 13

LOT 12

LOT 11

S27°42'37"W 448.34'

N27°42'37"E 1759.40'  
(N30°16'57"E)

P.O.B.

N62°17'23"W 867.24'

CAPITAL CITY - HOWARD LANE, LTD.  
67.890 ACRES  
(2002135987)

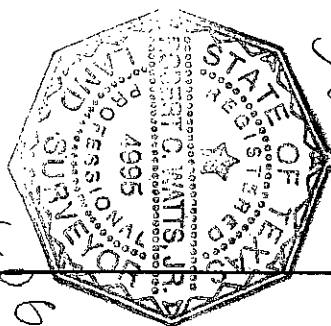
ALEXANDER T. WALTERS  
SURVEY 67 ABSTRACT 791  
TRACT 1 AND 3 - 35.000 ACRES  
(67.890 ACRES)  
CAPITAL CITY - HOWARD LANE, LTD.  
(2002135987)

S27°42'20"W 1758.42'

S27°42'20"W 3410.11'  
(S30°16'40"W 3410.04')

S27°42'20"W  
1651.69'

RUTH MAY MULENEX  
67.93 ACRES  
(13082/106)



LINE TABLE

No.	BEARING	LENGTH	(RECORD)
L2	S62°12'15"E	84.00'	(S59°39'56"E 83.99')
L4	N62°17'12"W	64.05'	(N62°09'40"W 63.92')

DATE OF SURVEY: 12/05  
PLOT DATE: 11/06/06  
DRAWING NO.: 351-001-ZN  
PROJECT NO.: 351-001  
SHEET 2 OF 2

Chaparral



Professional Land Surveying, Inc.  
Surveying and Mapping

EXHIBIT B

Tract II

Office: 512-476-7103

Fax: 512-476-7105

510 South Congress Ave.

Suite B-100

Austin, Texas 78704

Capital City Partners  
Howard Lane Tract

A DESCRIPTION OF 67.890 ACRES IN THE ALEXANDER WALTERS SURVEY NO. 67 IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 33.941 ACRE TRACT (TRACT I) AND ALL OF A 33.945 ACRE TRACT (TRACT II) AS DESCRIBED IN A GENERAL WARRANTY DEED TO CWS COMMUNITIES, DATED APRIL 23, 1998, OF RECORD IN VOLUME 13174, PAGE 1813 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.; SAID 67.890 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with cap set in the north line of Howard Lane (right-of-way width varies), being also the southwest corner of said Tract 1, being in the east line of Heatherwilde Boulevard (90' right-of-way width) as dedicated by plat of Northtown Park Section 3, a subdivision of record in Volume 87, Page 9B of the Plat Records of Travis County, Texas;

**THENCE** North 27°42'37" East, with the west line of Tract I, with the east line of Heatherwilde Boulevard, at 1201.17 feet passing a point of curvature for said Heatherwilde Boulevard, departing Heatherwilde Boulevard and continuing with the east line of a 305.768 acre tract described in Volume 8496, Page 574 of the Deed Records of Travis County, Texas, and continuing with the east line of Northtown Park Section 5-A, a subdivision of record in Volume 91, Page 188 of the Plat Records of Travis County, Texas, and continuing with the east line of a 4.652 acre tract described in Volume 12088, Page 492 of the Real Property Records of Travis County, Texas, for a total distance of 3411.37 feet to a 1/2" rebar found at the northwest corner of said Tract I, being also the northeast corner of the said 4.652 acre tract, and being in the south line of a 267.666 acre tract described in Volume 13310, Page 1431 of the Real Property Records of Travis County, Texas;

**THENCE** with the common line of Tract I and the 267.666 acre tract, the following two (2) courses:

1. South 62°12'15" East, a distance of 84.00 feet to a 60d nail found in a hackberry tree stump;
2. South 61°57'45" East, a distance of 349.51 feet to a 1/2" rebar found for the northeast corner of Tract I, being also the northwest corner of Tract II;

**THENCE** South 62°26'25" East, with the common line of Tract II and the 267.666 acre tract, a distance of 433.60 feet to a 1/2" rebar found for the northeast corner of Tract II,

Howard Lane Tract  
Page 2

being also the northwest corner of a 67.93 acre tract described in Volume 13082, Page 106 of the Real Property Records of Travis County, Texas;

**THENCE** South  $27^{\circ}42'20''$  West, with the common line of Tract II and the 67.93 acre tract, a distance of 3410.11 feet to a  $\frac{1}{2}$ " rebar found for the southeast corner of Tract II, being also the southwest corner of the 67.93 acre tract, and being also in the north line of Howard Lane;

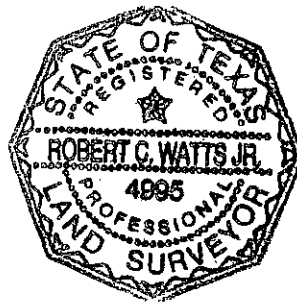
**THENCE** North  $62^{\circ}18'30''$  West, with the south line of Tract II and the north line of Howard Lane, a distance of 433.77 feet to a  $\frac{1}{2}$ " rebar with cap set for the southwest corner of Tract II, being also the southeast corner of Tract I;

**THENCE** North  $62^{\circ}18'30''$  West, with the south line of Tract I and the north line of Howard Lane, a distance of 433.60 feet to the **POINT OF BEGINNING**, containing 67.890 acres of land, more or less.

Surveyed on the ground April 12, 2002 under my direction and supervision. Bearing basis is Grid Azimuth for the Texas Central Zone, 1983/93 HARN values from the LCRA survey control network. Attachments: survey Drawing No. 351-01HL.

*Robert C. Watts, Jr.*

Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995



4-19-02



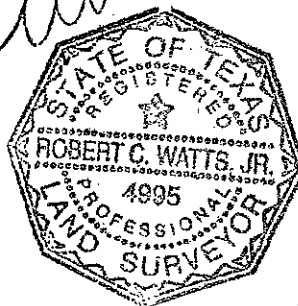
SKETCH TO ACCOMPANY A DESCRIPTION OF 67.890 IN THE ALEXANDER T. WALTERS SURVEY 67 ABSTRACT 791, TRAVIS COUNTY, TEXAS, CONVEYED TO CAPITAL CITY - HOWARD LANE, LTD., BY SPECIAL WARRANTY DEED EXECUTED JULY 23, 2002 AND RECORDED IN DOCUMENT NO. 2002135987 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CAP SET
- ▲ 60D NAIL FOUND IN HACKBERRY HACKBERRY STUMP

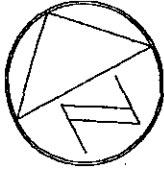
BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 351-001-ZN



DATE OF SURVEY: 01/05/2007  
PLOT DATE: 05/29/2007  
DRAWING NO.: 351-001-ZN2  
PROJECT NO.: 351-001

Chaparral



1" = 200'

LOT  
BLOC  
(20050)

ALEXANDER T. WALTERS  
SURVEY 67 ABSTRACT 791

67.890 AC.

CAPITAL CITY - HOWARD LANE, LTD.  
(2002135987)

HARRIS RIDGE BLVD.  
(RIGHT-OF-WAY WIDTH VARIES)

1203.63'

N27°42'37"E 3411.37'  
(N30°16'57"E 3411.26')

S27°42'20"W 3410.11'  
(S30°16'40"W 3410.04')

RUTH MAY MULENEX  
67.93 ACRES  
(13082/106)

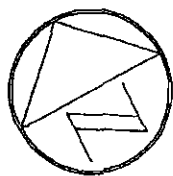
P.O.B.

HOWARD LANE EAST  
(RIGHT-OF-WAY WIDTH VARIES)  
(13314/706)

N62°18'29"W 867.37'  
(N59°44'10"W 867.37')

Chaparral

DATE OF SURVEY: 1/05/2007  
PLOT DATE: 05/29/07  
DRAWING NO.: 351-001-ZN  
PROJECT NO.: 351-001



1" = 200'

S62°12'15"E  
84.00'  
(S59°39'56"E 83.99')

LOT 2, BLOCK H  
PARKSIDE SUBDIVISION  
(200400029)

S61°57'45"E 349.51'  
(S59°23'44"E 349.52')

S62°26'25"E 433.60'  
(S59°51'46"E 433.58')

NORTHTOWN M.U.D.  
4.652 ACRES  
(12088/492)

NORTHTOWN PARK  
SECTION 5-A  
(91/188)

MARICELLA DRIVE  
(50' RIGHT-OF-WAY WIDTH)

NORTHTOWN PARK  
SECTION 5-A  
(91/188)

LOT 4  
BLOCK B  
(200500063)

N27°42'37"E 3411.37'  
(N30°16'57"E 3411.26')

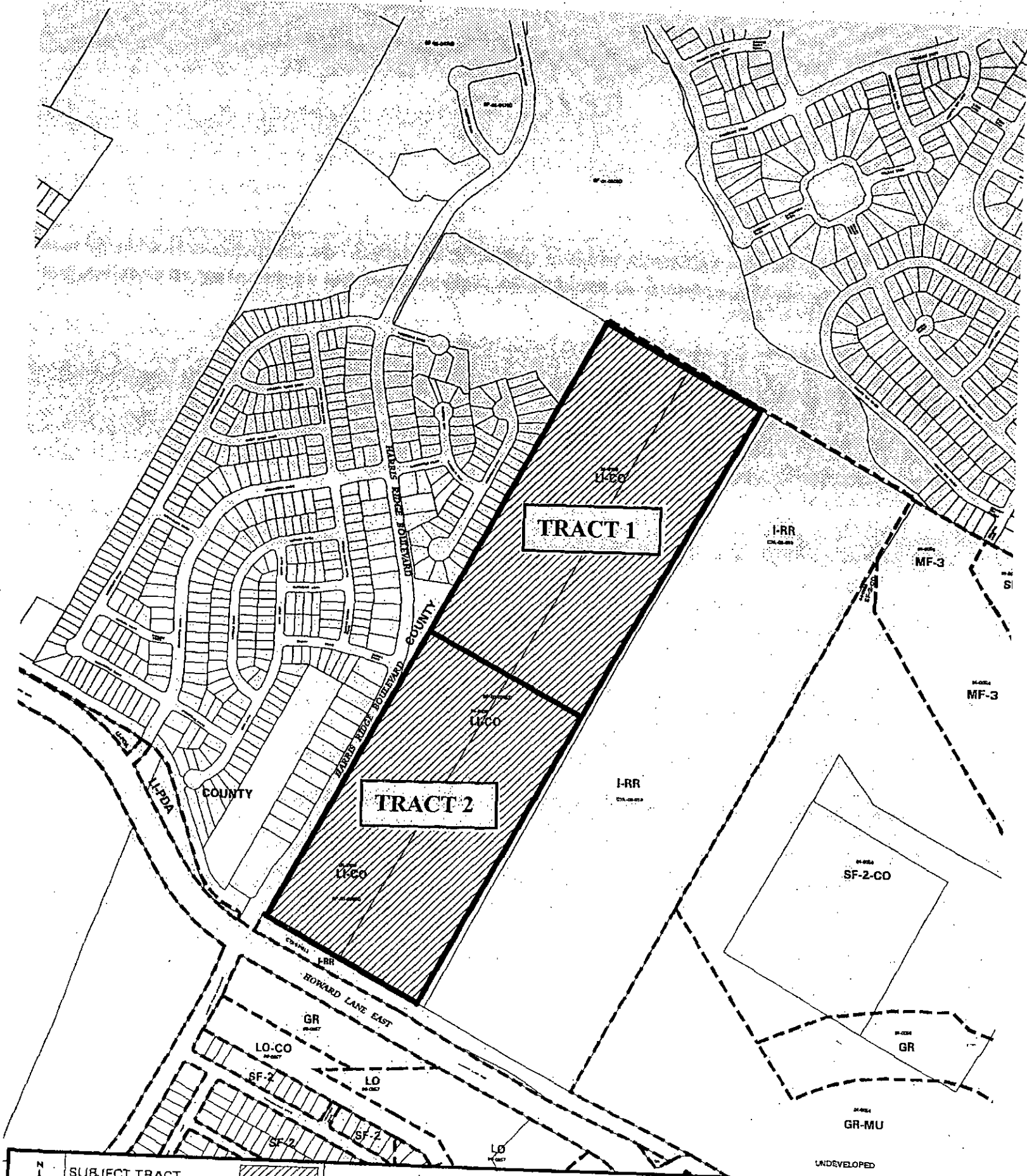
ALEXANDER T. WALTERS  
SURVEY 67 ABSTRACT 791


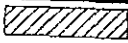

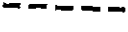
67.890 AC.  
CAPITAL CITY - HOWARD LANE, LTD.  
(2002135987)

RUTH MAY MULENEX  
67.93 ACRES  
(13082/106)

S27°42'20"W 3410.11'  
(S30°16'40"W 3410.04')

Chaparral



 1" = 600'	SUBJECT TRACT 	ZONING <i>EXHIBIT C</i>		CITY GRID REFERENCE NUMBER P35
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-06-0098 ADDRESS: HARRIS RIDGE BLVD SUBJECT AREA (acres): 67.890	DATE: 06-11 INTLS: TRC	
	CASE MGR: S.SIRWAITIS			